FOR MYSORE STATE

Public Works (195 4) Department.

Ms. SERIES.

G.O. No. Ms.375

315

Dated the 3rd February 1954.

Closed
Ref
Supdt

[Despatch Abstract.]

Ferries - South Kanara District - Doig Ferry in Coondapur Taluk - Transfer of management to the Coondapur Panchayat Board - Approved.

Revenue Department.
Subject.

Ferries - Doig Ferry - (South Kanara) - Coondapur Taluk - Transfer of management to Panch/- Proposals.

Madras. B.P.Routine No.3479. Dated:- 5-5-1953.

Sri W. R. S. Sattianathan, I.C.S., Commissioner of Land Revenue.
Sri C. S. Krishna Moorthy, I.A.S., Secretary, Board of Revenue.

Read:- From the Collector of South Kanara, letter No.D.Dis.18299/52, dated 7-3-1953.
Board's Ref.M.No.1588/53-1, dated 24-3-1953.
From the Inspector of Municipal Councils & Local Boards, L.Dis.No.20363/53, dated 18-4-1953.

RESOLUTION:-

Submitted to Government for orders.

2. The Board agrees with the Inspector of Municipal Councils & Local Boards and the Collector of South Kanara and recommends that the management of the ferry may be withdrawn from the District Board, South Kanara and assigned to Coondapur Panchayat Board.

(True extract).

for Secretary.

To The Secretary to Government, P.W.D., Madras.
Copy to the Inspector of Municipal Councils & Local Boards, Madras 1.
Copy to the Collector of South Kanara.
rm.5/5.

P2(91)

Memo no 42736 9/53-2 A) 12-5-53.

Title: (as on P/cube)

Ref: From the Bd of Rev. B.P. Routine no -3479 A) 5-5-53

The Board of Revenue requested to furnish a letter Disp 20363/53 (1) dt 18-4-53 of the Inspector of Obs-b referred to in it. Copies of the letter referred to above as they do not seem to have been received here.

for Bdeshka

Enclosure to B.P.Rt. 3479 dated 5.5.53

To The secretary to Govt. P.W.D. Madras

44297

D.Dis. 18990/52.

From

Sri C.A.Ramakrishnan I.C.S.,
Collector of South Kanara.
Mangalore.

To

The Secretary to Government,
P.W.D. MADRAS

Through

The Secretary to the Board of Revenue,
Land Revenue, MADRAS
(In duplicate)

Sir,

FERRIES: Soig Ferry - Coondapur Taluk - Transfer of management to Coondapur Panchayat Board - Proposals - submitted-

Ref:Ref.No. 28997/C1/51 dated 31.5.52 from the President, District Board S.Kanara.

****

I enclose a copy of the letter Ref.No. 28997/C1/51 dated 31.5.52 of the President, District Board South Kanara. The President, District Board, South Kanara proposes that the management of the Soig ferry in Coondapur Taluk may be withdrawn from the District Board and assigned to the Coondapur Panchayat Board under section 11 of the Canals and Public Ferries Act of 1890 from the date of notification to be issued by the Government. I submit herewith a sketch in duplicate with index in English indicating the position of the Soig ferry in Coondapur village.

2/- The Soig ferry was opened in 1931 as per G.O.Ms. 1970.1 Ms dated 24.7.1931 and the management was assigned to the Ex.Taluk Board, Coondapur. Subsequently the ferry came into the possession of the District Board, South Kanara after the abolition of the taluk Board as per Government Memo.No 13087/A.II.& M dated 23.3.34.

3/- The ferry in question lies entirely within the limits of the Coondapur Panchayat Board and there is one approach road which is maintained by the Panchayat Board on one side of the ferry. There is no maintained road on the other side. As the ferry is situated within the Panchayat area, the management of the ferry should vest in the Coondapur Panchayat ~~area, the management of the ferry should vest in the Coondapur Panchayat~~ Board according to the revised instructions. Both the Coondapur Panchayat Board and the District Board agree to the transfer the management to the Coondapur Panchayat Board.

4/- I, therefore recommend that the management of the Soig ferry may be withdrawn from the South Kanara District Board and assigned to the Coondapur Panchayat Board from the date of notification to be issued by Government.

A draft notification is enclosed.

Yours faithfully,

11/5/52

In exercise of the powers conferred by section 11 of the Canals and public ferries Act 1890 (Madras act II of 1890) (H Excellency)the Governor of Madras hereby cancels with effect from the date of publication of this notification, the order assigning the management of the Doig Ferry of Coondapur talu South Kanara district to the District Board, South Kanara.

Under section 11 of the said Act the management of the above ferry will with effect from the date of publication of this notification be vested in the Coondapur Panchayat Board the income realised by this ferry will be apportioned to this Panchayat.

S.Kanara Collector's office)
Mangalore dated 7.3.53.)

For Collector.

Copy of letter Rc.No.28397/C1/51 dated 31.5.52 from the President, District Board South Kanara to the Secretary to Government, Public works department Madras through the Board of Revenue and the Collector of South Kanara, Mangalore

***

Sub: FERRY: Doig ferry--Coondapur taluk--transfer of management to Coondapur Panchayat Board--orders requested

The Executive Officer of the Coondapur Panchayat Board requests that the management of the Doig ferry may be transferred to the Coondapur Panchayat Board as the ferry lies within its jurisdiction.

2. In Resolution No.65 dated 22.5.52 (copy enclosed) the District Board has resolved to transfer the management the ferry to Coondapur Panchayat Board from the date of notification to be issued by Government.

3. The Doig ferry was brought under the provisions of the Canals and Public Ferries act 1890, as per the Notification published at page 924 of Part I of the Fort St. George Gazette dated 14th July 1891 and the management was originally assigned to Coondapur taluk Board under section 11 of the Act. When the taluk Boards were abolished in 1934 the management was taken over by the District Board as per the orders of Government.

4. I therefore, request that the Government may be pleased to issue necessary notification with-drawing the management of the above ferry from this Board and assigning it to the Coondapur Panchayat Board under section 11 of the Canals and Public ferries Act of 1890.

-True copy-

For Collector.

(Ex. 91)

Please see pp 3-7 ante.
Letter of the 9th B.
referred to in the Bd's
Rev at X on p-1 ante
was not been enclosed.
The draft memo on p-2 ante
has since been suitably
modified and it may now
be issued

13-5-53.

13.5.53

13533

Revenue Department

Subject

Ferries-Doig Ferry-South Kanara.Coondapur taluk-transfer of Management to Panchayat.

L.Dis.M.3028-53

Station:Madras

Dated 2-6-1953.

51826

From

Sri.W.R.S.Sattianathan,I.C.S.,Commissioner of Land Revenue.
Sri.C.S.Krishnamurthy,I.A.S.,Secretary Board of Revenue.

Read:- Govt.P.W.D.Memo No.427360-53-2 dated 12-5-1953.

L.Dis.

The Board submits herewith a copy of the letter referred to in the memo cited.

for Secretary.

To: The Secretary to the Government,
Public Works Department,Madras(with a copy of B.P.Rt.3479 dated 5-5-1953)

ta.2.6.

pto

Copy of B.P.Routine 3479 dated 5-5-1953

...

Ref:- Collector of South Kanara letter D.Dis.18299/52 d/7-3-53.
Board's Ref.M.1588/53-1 dated 24-3-53.
Inspector of M.C.L.B.L.Dis.2036-52 dated 18-4-53.

..

- Board's Ref.M.1588-53-1 dated 24-3-53.

..

The proposal for the transfer of the management of the [illegible] Ferry in Coondapur Taluk from South Kanara District Board to Coondapur Panchayat is recommended.

Resolution.

Submitted to the Government for orders.

2.The Board agrees with the Inspector of Municipal Councils and Local Boards and the Collector of South Kanara and recommends that the management of the Ferry may be withdrawn from the District Board South Kanara and assigned to Coondapur Panchayat Board.

Sd. x
for Secretary.

True copy--

for Secretary.

ta.2.6.

11 Pro(91)

T.M. no. 42736 Q/532 dt 24-6-53

From the A.S. PWD

To the A.S. Bd. of Rev.

Subs: Ferries - Doig ferry - South Kanara Coondapur Taluk. Transfer of management to Panchayat.

Ref: Board's L Dis. M. 3028-53 dt 2-6-53.

A copy of ~~Inspector of etc~~ - letter No. L-Dis. 20363/18-4-53 required in Memo. no. 42736 Q/53-2 Pro 2-5-53 has not been enclosed with the Bd's reference cited. Please

12

expedite the copy of the ~~Inspector's~~ letter.

22/6/53.

22.6.53.

22/6/53

65312 REVENUE DEPARTMENT 13

Subject:
FERRIES - Dolg Ferry (South Kanara) Coondapur taluk - Transfer of Management to Panchayat.

L.Dis.M.4306/53

Station: Madras Dated: 14-7-1953.

ADDL. ASST. SECRETARY TO GOVT. 17 JUL PUBLIC WORKS DEPARTMENT

Sri W.R.S. Sabbiamathan, I.C.S., Commissioner of Land Revenue

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Sri C.S. Krishna Moorthi, I.A.S., Secretary, Board of Revenue

---

Read: From the Inspector of Municipal Councils and Local Boards L.Dis.NO.20363/53 dated 18-4-53
Post copy of Telephonic Message from Government Public Works Department, NO.42736 Q/53-2 dated 24-6-53

L. DIS.

With reference to the Telephonic Message cited the Board submits herewith a copy of letter NO.L.Dis.20363/53 dated 18-4-1953 of the Inspector of Municipal Councils and Local Boards.

For Secretary

To the Secretary to Government, Public Works Department, Madras with a copy of the Inspector's letter.

PGP.14-7

Copy of the letter: From the Inspector of Municipal Councils and Local Boards, Madras L. L. Dis.No.20365/55 dated 18-4-55.

Sub: FERRIES - Dhig ferry - Coondapur taluk - South Kanara District -Transfer of Management to Panchayat - Proposals

Ref: Board's Ref:1583/55-1 dated. 24-5-1955

The Proposal for the transfer of the management of the Dhig Ferry in Coondapur taluk from South Kanara District Board to Coondapur Panchayat is recommended.

/True Copy/

For Secretary

Kc
14/7

P2/(91)

Please see pp 13-14 above. The pp referred to at x on p.5 ante have been called for and have not yet been received. M.R.O. has since been reminded. As those pp. are required for the disposal of the they are being traced and the file will be sent shortly. before 8-8-55

This should be done in Dy No

PWD(Q)

Memo No 42736 Q/53-5 dt 5-10-53

Sub: Ferries - Dorg ferry - Coondapur taluk - Transfer of management to Coondapur Panchayat Board.

Ref: From the Collr of S. Kanara, Letter No 18299/52 dt 7.3.53.

The collector of S. Kanara is requested to furnish a copy of Memo No 13087/A-1 L&M dt 23.3.34 referred to in his letter cited as it is not readily traceable here

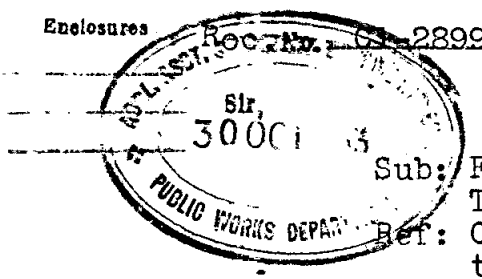
fd 4/10/53

5/10/53

G.F. 32 (a)— 184,466—15-11-52 94521

Department	Received Registered
From (Name) Sri A.Mahalingam Chettiar I.A.S.,	To
Designation Special Officer, Dt.Board,	The Secretary to Government,
Station South Kanara, Mangalore.	Public Works Department, Madras.

Enclosures Rec.No. G1-28997-51 dated 21-10-53 195 .



Sir,

Sub: FERRIES- Doig ferry (South Kanara) Coonlapur Ta
Transfer of management to Panchayat - Proposals.
Ref: Copy of B.P.Routine No.3479 dated 5-5-1953 from the Board of Revenue.

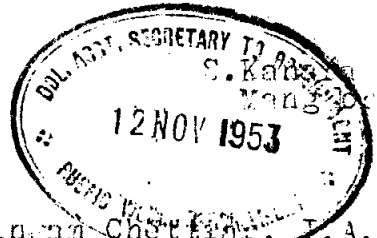
I request that the orders of Government may be communicated to me at an early date.

hys/23-10

For Special Officer

27/10/53

L.Dis.23715/53 S.Kanara Collector's Office,
Mangalore dated 6.11.53.



From

Sri A.Mahalingam Chettiar, I.A.S.,
Collector of South Kanara.

The Secretary to Government (P.W.D.)
Madras 9.

Sir,

FERRIES - Doig ferry - Coondapur taluk - transfer of management to Coondapur Panchayat Board.

...

Ref: Govt.memo No.42736/A/53-5 (P.W.D.) dt.5.10.53.

...

The Government memo No.13087/A1/L & M dated 23.3.54 is not available either in my office or in the office of the Dt.Board.

Yours faithfully,

Memo. No. 42736 B/F/53-6 dt 27-11-195

Sub:- Ferries- Dois Ferry - Coondapur taluk - Transfer of management to Coondapur Panchayat Board.

Ref:- From the Collr. of South Kanara Lr. No. L. Dis. 23715/53 dt. 6.11.5

The Collector of South Kanara is requested to furnish a copy of Govt. Memo. No. 13087/A-1 L & M dated 23-3-1934, referred to in para. 2 of his Letter No. D. Dis. 18299/52 dt 7.3.1953.

42736-F/53 23

O.F. 32 (a)— 184,468—16-11-53

L.A.

Department

From (Name) Sri A.Mahalingam Chettiar I.A.S.

Designation Special Officer,

Station District Board, S.Kanara,

Received — Registered —

To

The Secretary to Government,
Public Works Department,
MADRAS.

2 DEC 1953

Enclosures: Roc. No. C1/28997/51 dated 26.11.1953. 195

Sir,

Sub:FERRIES - Doig ferry (South Kanara)-Coondapur taluk Transfer of management to Panchayat - Proposals - Ref:Copy of B.P.Routine No.3479/5.5.1953 from the Board of Revenue.

I request that the orders of Government may be communicated to me early.

for Special Officer.

kbr/28.11

PWD(F3)

Please see the Memo. on p 21 ante.

No action is called for now. A.R. till 2-1-54

2/3.12.53

11/53 JS 2.12.53 2.12.53

L.Dis. 27640/53

S.Kanara Collector's office,
Mangalore dated 15.12.1953.

From

Sri A.Mahalingam Chettiar, I.A.S.,
Collector of South Kanara,
Mangalore.

To

The Secretary to Government,
Public Works Department, Fort St.George,
Madras.9

Sir,

FERRIES(South Kanara) Coondapur Taluk - Doig Ferry - Transfer of Management to Coondapur - Panchayat Board- proposal - Certain particulars- Furnished-

Ref:Govt. Memo.No. 42736/ Q/F/53.6 d/P.W.D. d/ 27.11.53

I enclose a copy of Government Memo.No. 13087/Al. L.& M. d/ 23.3.1934.

Yours faithfully,

For Collector.

Copy of Memorandum No.13087-A1-L. & M dated 23.3.1934 from the Gov of Madras Local Self Government Department.

Sub: Boards: Abolition of taluk - transfer of functions to Dt. Boa

---

The functions of the Taluk Boards will be performed by the district boards with effect from the 1st April 1934 Presidents of Dt.Boards are requested to make the necessary arrangements for taking charge of records, furniture and other properties from the taluk Boards. Presidents of Taluk Boards are requested to draw up detailed inventories of the articles to be handed over and formally hand over charge to a responsible officer to be deputed by the President Dt. Board for the purpose. One signed copy of the inventory will be handed over to the officer of the Dt. Board and the duplicate signed by the latter handed to the President, Taluk Board.

As regards buildings the Dt.Bd.Engineer or his assistant may take charge of them. Attention is in this connection invited to paragraph 4 of Memorandum No.11457-1 L & M dated the 13th March 1934.

Presidents of Dt. Boards are requested to instruct the head clerks of the taluk Board offices or the senior-most of the clerks selected by the Presidents of Dt. Boards to take all steps necessary for the transfer of the records to the Dt. Board offices.

-True copy-

FERRIES - South Kanara District - Doi Ferry in Coondapur Taluk - Transfer o management to the Coondapur Panchayat Board - Approved.

Read: { G.O.Ms.No 1870 Pwd dt 24-7-31
From the Board of Revenue, B.P.Rt.No.3479, dt.5-5-53.

G.O.Ms.No 375 --- d 3-2-54

The Coondapur Panchayat Board h requested that the management of the Doig Ferry may be transferred to it f the control of the District Board, So Kanara, on the grounds that it is main taining the approach road on one side of the ferry and that there are no maintained roads on the other side of the ferry.

2. The Governor of Madras herel directs that the management of the Do ferry and the income thereof be assig to the Coondapur Panchayat Board.

3. The appended notification will be published in the Fort St. Geo Gazette.

21.12.53

22.12.53

22.12.53

To the Board of Revenue
The Collector of S.K.
The Special Officer,
District Board, South Kanara
The S.G.P., for publica-
tion of the Notification.
Copy to the Inspector of
Municipal Councils and Local Boards.
Copy to the H.E.L.A. Deptt.

(2 spare copies)

Appendix.

Notification.

In exercise of the powers conferred by section 10(1)(c) of the Madras Canals and Public Ferries Act, 1890 (Madras Act II of 1890) and in supersession of the order assigning the management of the Doig Ferry in Coondapur Taluk, South Kanara

District, to the South Kanara District Board, the Governor of Madras hereby assigns the management ~~and the income thereof~~ of the said ferry to the Panchayat ~~Board~~, Coondapur, with effect on and from the date of this Notification.

1-12-53 22-12-53

22-12-53

S.Kanara Dt.Board Office,
Mangalore, dt. 6. 2. 1954.

Rc.No.C1/28997/51

11648

From

Sri A.Mahalingam Chettiar, I.A.S.,
Special Officer, District Board,
South Kanara, Mangalore.

12 FEB 1954
PUBLIC WORKS DEPARTMENT

To

The Secretary to Government,
Public Works Department,
Madras.

Sir,

Sub:FERRIES-Doig ferry - South Kanara District - Coondapur taluk - transfer of management to Panchayat - proposals.
Ref:Copy of B.P.Routine No.3479, dated 5.5.53 from the Board of Revenue.

I request that orders of Government may kindly be obtained and communicated to me early.

FOR SPECIAL OFFICER.

khr/8.2

PTO.

8191

PWD f 37

The Orders have been issued in G.O. Ms No. 375 dt. 3.2.54. This may be added to the papers as (R)

15.2.54 M

15254

16.2.54

FERRIES - South Kanara District - Doig ferry in Coondap Taluk - Transfer of mangement to the Coondapur Panchaya Board from the South Kanara District Board - Proposals.

Ref: From the Board of Revenue, B.P.. Rt.No.3479, dt.5-5
From the Collr of S.Kanara No 27640/53 dt 15-12-53

The proposal in this file relates to the tr fer of management of the Doig ferry in Coondapur taluk to the Coondapur Panchayat Board from the control of the South Kanara District Board.

2. The Doig ferry in the Coondapur taluk, S.K. Dt. was declared to be subject to the provisions of the Madras Canals and Public Ferries Act, 1890 (Act II of 1890) in G.O.Ms.1870-I (Public Works and Labour Deptt) dt.24-7-1931 and the management of the ferry was vested in the now-defunct Taluk Board, Coondapur. On the abolition of the Taluk Boards in 1934, the management of the ferry passed on to the District Boar

3. ~~The Panchayat Board, Coondapur has stated that~~ The Doig ferry lies entirely within ~~its~~ jurisdiction (of the Panchayat Board, Coondapur which) ~~and that it~~ is maintaining the approach road on one side of the ferry. ~~It has also stated tha~~ There ~~are~~ no maintained road on the other side of the ferry. ~~and has~~ (The Panchayat Board therefore) requested that the management of the ferry ~~may~~ be transferred to its control as per instruc tion contained in G.O.Ms.3304, P.W. dt.6-11-1947. The District Board, South Kanara, has agreed to hand over the management of the ferry to the Panchayat Board, Coondapur.

4. The Inspector of Municipal Councils an Local Boards, (the Collector of South Kanara) and the Board of ~~Re~~Revenue have also re- commended the transfer of management of the ferry to the Panchayat Board.

5. A draft order accepting the recommendation ~~of the Inspector of Local Board and the Board of Revenu~~ is put up below for approval.

6. H.E.I.A. (& Law) may see before issue.

ASSISTANT SECRETARY TO GOVERNMENT
24 DEC 1953
76705
HEALTH, EDUCATION & LEGAL DEPT.

PWDO
NO.42736-F/53-7
23/12/53

22.12.53

22.12.53

HELA (Ls) Deptt.

The P.W.D's note on the file may be perused and may be passed on to Law Deptt.

KR 26/12/53

26.12.53

28/12/53 AWS

26.12.53

Law

HELA L.O. NO. 76705/53
dt. 28/12/53.

Law Deptt.

The proposal in this case is to withdraw the management of the ferry from the Dt. Bd. and to assign it to the Panchayat. This case is not in terms covered by S. 10 (1) (c) of the Act under which the Draft notifn. is proposed. P.W.D may please look up the previous papers if any in which this question was examined. The original of the G.O. referred to at A on p.1 ante may also be looked up for reference.

Law No. 20098/53
2.1.54

P.W.D.

P.W.D. (F-3).

With reference to the remarks of the Law Department at 'A'above, attention is invited tothe notification at p.10 c.f.

/Contd.

of G.O.Ms.No.619, P.W. dated 13-2-1951. This notification was seen by the Legal Deptt before it was issued vide page 2 n.f. of 1(B). The draft notification put up in this case is follows the one issued in G.O.Ms. No.619, P.W. dt.13-2-51.

2. The original of G.O.Ms.No.3304, P.W. dated 6-11-47 is put up at flag (Q) as required by the Law Deptt at X on p.2 ante.

3. The file may again be sent to the Law Deptt. w.r.t. para 1 above.

11.1.54 Law

11.1.54 11.1.54.

LAW (OPINIONS) DEPARTMENT.

N.U.O.No. 42736-F/53-8, 11.1.54

In G.O.No.1870-I dated 24-7-31, the management of the ferry in question was assigned to the then Taluk Board, Coondapur under section 11 of the Act as it stood before it was amended by Madras Act VII of 1939. The 1939 Act omitted the words "or public ferry" from section 11 and substituted a new section for section 10 which inter-alia empowered the Govt. to assign the management of any public ferry to a Local Board or Municipal Council. Thus after the 1939 amendment, any assignment of the management of a public ferry can be ordered only under section 10(1)(c). This power to assign includes the power to rescind, revoke, amend or vary the previous order - see section 15 of the Madras General Clauses Act, 1891

The draft notification is in order subject to the slight alterations indicated in red ink.

30.1.54

BMD.

ASSISTANT SECRETARY 12 JAN 1954 1143 LAW DEPARTMENT, MADRAS

DY. ASST. SECRETARY TO GOVERNMENT 8148 1-FEB 1954

Law no No. 1143/54-1 30.1.54

K.W.D(F.

The draft order with the alterations indicated by Le
now be issued.

2.2.54

2.2.54

2.2.54

[Issued as G.O. MS No. 37
dt 3-2-54]